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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 JOSEPH FAIRWEATHER,

11 Petitioner,

12 v.

13 ROB MCKENNA,

14 Respondent.

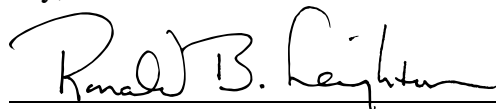
CASE NO. C11-5659-RBL-JRC

ORDER ADOPTING A REPORT  
AND RECOMMENDATION

15 The Court having reviewed the Report and Recommendation of the Hon. J. Richard  
16 Creatura, United States Magistrate Judge, objections to the Report and Recommendation, if any,  
17 and the remaining record, does hereby find and Order:

- 18 (1) The Court adopts the Report and Recommendation;
- 19 (2) This petition is denied. The petition is time barred. Further, if the petition were to  
20 be considered, two grounds for relief are procedurally barred and the third is  
without merit.

21 DATED this 29<sup>th</sup> day of February, 2012.

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23 RONALD B. LEIGHTON  
24 UNITED STATES DISTRICT JUDGE